

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

United States of America)	
)	CASE NO. 5:04CR227
Plaintiff(s),)	
)	<u>MEMORANDUM OPINION AND</u>
v.)	<u>ORDER</u>
)	
Alex Sklavenitis)	
)	
Defendant(s).)	
)	

This defendant was sentenced by the Court on the 17th of December, 2004, to a guideline sentence of 24 months with 3 years of supervised release. At the time of the sentencing, and in response to a Sixth Circuit suggestion in U.S. v. Koch, No. 02-6278, 2004WL 1870438 (Sixth Cir. August 13, 2004), the Court announced an alternative sentence of 18 months. At the time the alternative sentence was announced, it was uncertain when the Supreme Court would rule with respect to Sentencing Guidelines.

It is now evident that the defendant is entitled to the alternative sentence of 18 months. The defendant has so moved. (See Docket No. 47)

The Government has not opposed an alternative sentence providing for an 18 months sentence.

As a consequence, the Court will enter an Amended Judgment and Commitment calling for a sentence of 18 months.

IT IS SO ORDERED.

July 28, 2005
Date

/s/ David D. Dowd, Jr.
David D. Dowd, Jr.